

Appl. No. 10/692,338
Amendment dated September 6, 2007
Response to Office Action of June 16, 2007

REMARKS/ARGUMENTS

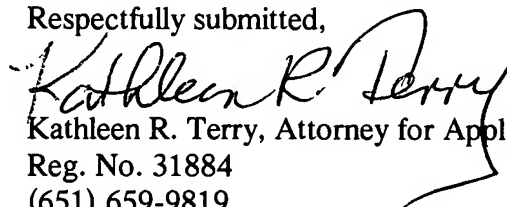
The Examiner has provisionally rejected claims 1-3 and 6 on the ground of obviousness type double patenting based on copending Application No. 11/118,613. Attached hereto is a terminal disclaimer and fee obviating this provisional rejection, should the '613 application issue as a patent.

The Examiner has rejected claim 6 as failing to comply with the written description requirement of 35 U.S.C. § 112, first paragraph. Claim 6 has been canceled in order to focus on the use of ribose for cardiac health and rehabilitation. .

Applicants have previously submitted supplemental information speaking to the commercial success of product sold for the uses of claims 1-3. Herewith is submitted the affidavit of James Herrick, Vice President of Business Development for Bioenergy, Inc., the assignee of this application. This affidavit brings the supplemental information current and may be helpful in ascertaining the allowability of this application.

Applicants believe that with the current amendments and the terminal disclaimer, claims 1-3 are in condition for allowance and respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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